

## JUSTICE STAFFORD DELIVERS ADDRESS

Local Man Honored by West  
Virginia Attorneys.

ADDRESSED BAR ASSOCIATION

District Supreme Court Judge, in Annual Address, Speaks on "The Lawyer."

FAIRMONT, W. Va., Dec. 28.—Justice Stafford, of the District Supreme Court, at Washington, D. C., delivered the annual address before the State Bar Association of West Virginia last night, at the meeting held here. His subject was "The Lawyer."

Justice Stafford said in part: "There are lawyers by nature just as there are poets by nature. They are endowed with two great gifts: one is intellectual, the other moral. One is the power to perceive the true relations of things, and the other is the disposition to see justice done. This ability to see the true relations in which things stand to each other—what is it but common sense magnified? And who will not admit that common sense is always a gift of nature? If you know of any college that can confer an honest degree in common sense, let me know—I want to send my boy there. It can't be done. If he was born with it the school will give it breadth and power. If he was born without it the school will only make the deficiency conspicuous."

"The Spaniards have a proverb, 'A fool is never a great fool until he knows Latin.' We have all seen lawyers who would have been stronger if they had relied more on their reason and less on their reading. Even on the bench I have known men who would have been better judges if they had been poorer lawyers. When all is said it is mother-wit that runs the world."

Common Sense Made Law.

"How often we have occasion to return to that profound saying of Bacon, 'Books teach not their own use, but that is a wisdom without them and above them won by observation.' It was common sense that made the law, and it is common sense that must apply it."

"In the war between our States a Massachusetts regiment was to be transported by train. The locomotive had broken down. 'Is there any man here that knows how to mend this engine?' asked the colonel. Out of the ranks stepped a young man, a lawyer, and he mended the engine. That is what happens when the lawyer puts his hand to the law. Some of the best lawyers were never admitted to the bar. More than once I have been shown such a clear perception of principles, such a firm grasp of the situation, that I have felt like saying, 'I do you come to me for counsel.' It is I that should learn of you."

"Law is not something technical—something that smells of the lamp and belongs to the closet. Law is nothing stable, nothing desirable, unless it is the sifted and genuine common sense of the race. You need never tremble for that kind of law. It is a tub that can stand on its own bottom. A code that can be understood and appreciated only by a class or a profession may fall, but a law that is based on the good sense and honest instincts of men at large can never fall. For a sound legal judgment is moral as well as mental. The best counsel is he who sees things as they are; the great lawyer sees how they ought to be. Justice is as strong as his perception of truth is keen. It has been said, 'Love is our highest word and the hymn of God. But if that be so, then the next highest word is justice.' For justice all place a temple and all summer. What other excuse can government give for its existence than this—to establish justice?"

Qualities of a Judge.

"So it is that a good lawyer must have the qualities that go to the making of a good judge. He cannot conduct his case wisely nor advise his client safely unless he can foresee with reasonable accuracy how the court will be obliged to treat it when it comes before it. The best counsel is he who best anticipates the court's decision. You cannot make a good judge out of intellect alone. He must have a heart that can be touched with the feeling of our infirmities. His blood must be red. Let him be pure and righteous as he may, but through his heart must throb the quick, warm currents of humanity. And above all, he must love justice. He must long to see the right prevail. So must the lawyer—the lawyer, I mean. He must be great enough to exult in his own defeat when he finds that he ought to be defeated. Lawyers do not like to be beaten; judges do not like to be beaten. But a judge who will not rejoice to see his own wrong judgments set aside—he may be great in learning and high in place, but the least in the kingdom of justice is greater than he."

TREASURY COUNCIL, NO. 200,  
HOLDS ANNUAL ELECTION

At a meeting of Treasury Council, No. 200, National Union, held on Wednesday evening, December 28, the following officers were elected for the ensuing year: President, E. J. Pattee; vice president, G. H. Lohrer; speaker, W. H. Smyser; financial secretary, J. W. Harsha; recording secretary, R. D. Howell; treasurer, N. C. Martin; chaplain, D. W. Keck; usher, R. D. Pinner; doorkeeper, A. S. Brown; sergeant-at-arms, John Newman; delegate to cabinet, T. L. De Land; delegate to assembly, T. L. De Land; alternate, G. H. Lohrer; delegate to immediate relief, J. W. Harsha.

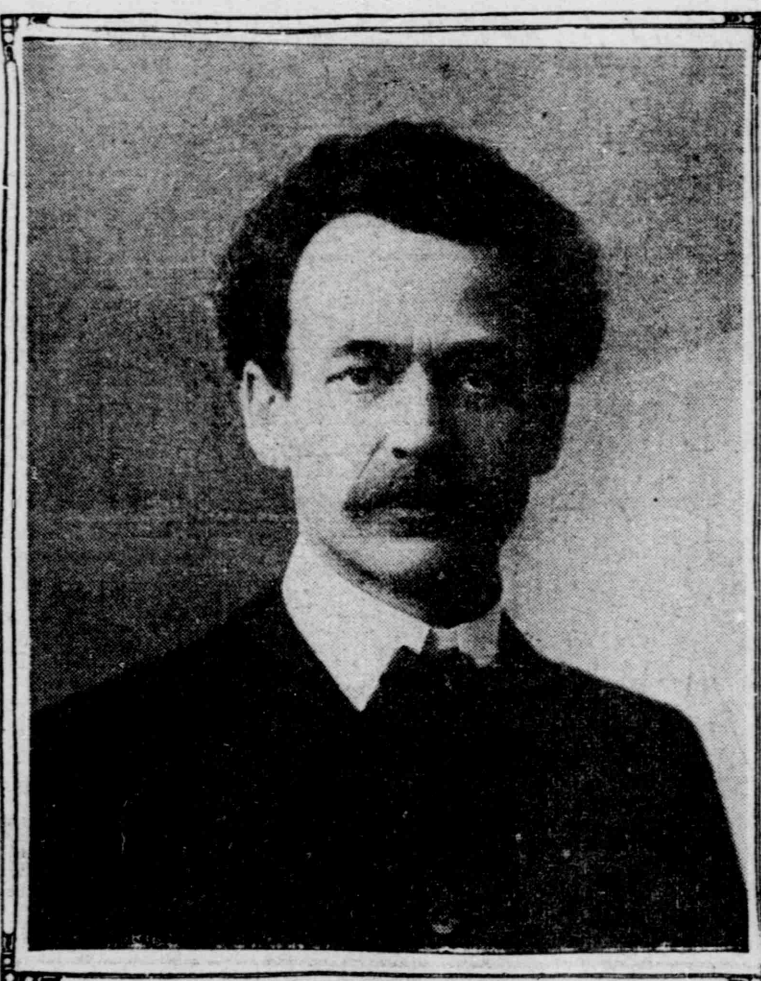
Choice Potatoes, 89c bu.  
Granulated Sugar, 44c lb.  
1 lb. 50c Tea (any kind) for 33c  
4 cans Sugar Corn for 25c  
4 cans Extra Sifted Flour for 25c  
J. T. D. Pyles, 7 Stores,  
Including 948 La. Ave.

James M. DEAN, Specialist,  
708 13th St. N. W.  
25% off on Oculist Prescriptions during  
December. Opera Glasses, Lorgnettes,  
Readers, etc., very reasonable. de7-204

Beautiful Stag Handle  
2-piece Carving Set, fully  
guaranteed. Our great  
holiday special at.....  
\$1.00

JOHN B. ESPEY, HARDWARE  
1010 Pa. Ave.

DELIVERED ANNUAL ADDRESS BEFORE  
WEST VIRGINIA BAR ASSOCIATION



JUSTICE WENDELL P. STAFFORD,  
District Jurist Selected as His Subject "The Lawyer."

## Rains Have Wiped Out Grindell Party's Trail

Brother Followed It Over Hundred Miles in  
Tiburon Island and Comes to Conclusion  
Men Perished in Mountains.

The Department of State received a letter this morning from E. P. Grindell, dated from Hermosillo, Mex., on December 19, and giving a detailed account of his search for his missing brother, Thomas Grindell and the members of his party.

Early last summer, Dr. Thomas Grindell, of Kansas City, set out from Tucson, Ariz., with a party of four or five white men and several Indians, to explore Tiburon Island, in the Gulf of California, and its inhabitants, the savage, bloodthirsty, and primitive Seri Indians. He has never been heard of since. Only one of his party, Jack Hoffman, returned alive, he having become separated from his companions.

Government Acts.

The relatives of Grindell requested the State Department to do all in its power to learn the fate of Grindell and his party. The State Department has instructed Ambassador Thompson, soon to go to Mexico City, as well as Consul Hostetter at Hermosillo, the nearest Mexican town to Tiburon Island, to investigate.

E. P. Grindell, brother of Dr. Thomas Grindell, went to Mexico and has since been searching for his brother. In his letter to the department he gives the results of his quest.

The letter is as follows:

Hermosillo, Sonora, Mexico,

December 19.

Robert Bacon, Assistant Secretary of State, Washington, D. C.

Sir: Mr. Hostetter, the American consul here, informed me you have written him regarding four Americans lost in the vicinity of Tiburon Island last July; namely, Thomas Grindell, Olin Ralls, David Ingram, and Jack Hoffman. Mr. Hoffman, however, has since been found, and you no doubt have heard his story. He says the other boys likely perished for want of water.

Now I have been searching for this party since the 5th of September, giving my entire time to the matter, but have failed to find any of them. I have, however, found their trail and have followed it for over one hundred miles, but the recent rains have entirely obliterated their trails. So now I have nothing to work on but general location. I found the boys' camps deserted. I found four of their five animals dead. I trailed Mr. Ralls over forty miles, where he went alone with one mule. A sudden rain forced us to stop following the trail for the day, and next day the trail was gone. But one of my Indians found, about ten miles further on, a dead mule. The mule had the pack saddle still on its back and a rifle and bucket still fastened to the saddle, which led me to believe that Mr. Ralls had fallen from this, and the point where I last had his trail. I searched the country thoroughly, but could find no trace of the man.

I had with me from five to twelve Papago Indian trailers and one American companion. We searched the northeast coast of the mainland in front of Tiburon island for a distance of 100 miles, and back into the mountains for from twenty to thirty miles, and I have covered every place where the bodies might reasonably be expected to be. We rode over 800 miles on horseback.

I have given up ever finding the boys, but as a last resort I have offered a reward to the Papago Indians of \$200 for each of the bodies they find. It is my opinion that the boys wandered in their frenzied condition away back into the mountains, into places where they never will be found. Everyone here has been very kind to me in this search, especially Louis Hostetter, the American consul. He has been very considerate, and helped me many times. I trust this information will be of value to your department. Very truly,

E. P. GRINDELL.

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## FATE OF BURBANK IN THE BALANCE

Army Officer Tried Upon  
Serious Charges.

FINAL PAPERS ARRIVE

Findings of Court-Martial Adjudging Him Guilty to Be Reviewed by Judge Advocate.

The fate of Sydney S. Burbank, a first lieutenant in the Sixth Infantry, now stationed in the Philippines, soon will be known. The proceedings and findings of the court-martial board, which recently tried him on charges of embezzlement and conduct unbecoming an officer, have reached the War Department.

According to reports received by The Times from Manila two weeks ago, the army officer whose domestic troubles have been aired in the civil courts in Kansas the past two years was found guilty on both charges; on the former he was sentenced to dismissal from the army, and on the latter to fifteen months' imprisonment.

Mother's Vain Journey.

Mrs. Burbank, wife of Col. I. D. Burbank, retired, went out to the Philippines last summer when she learned her son was to face such serious charges, and when the board finished its work and sent its report to the War Department in Washington, Mrs. Burbank hastened to the Philippines to see the papers and hastened to Washington in an endeavor to save her son if possible.

Arriving in San Francisco ten days ago, Mrs. Burbank took the first train for the East in an endeavor to reach Washington before the documents, hoping to interest the president before the papers were sent to the President for him to sign the order of dismissal.

Arriving in the city, Mrs. Burbank hastened at once to the office of the Judge Advocate General, where she was informed that nothing could be done and the case would have to be reviewed in the regular way when the papers came. Mrs. Burbank has remained in the city awaiting the outcome and will endeavor to see the President in order to make an appeal in her son's behalf, as soon as the Executive returns to the city from his holiday outing. Upon the case being reviewed by the Judge Advocate General, it will go to the Secretary of War for his approval and then to the President for final action.

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The charge of "conduct unbecoming an officer and a gentleman" covers charges against the officer of failing to support a Filipino woman who claims to have been married to him several years ago when first in the Philippines with his regiment. From the Philippines the officer was brought with his regiment to Fort Leavenworth, and upon the eve of his marriage to a prominent young woman there the Filipino woman appeared with a child and sued him in the civil courts for support. He took a counter action for divorce, declaring that he had never been legally married to her, but he desired a divorce to anticipate any future action on her part. A year ago, however, he was again sent to the Philippines, since when the native wife has secured a legal separation from him. His case for an absolute divorce is still pending in the Kansas courts.

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## WILL RENEW FIGHT ON LAND FRAUDS

Government Not Through  
in Nebraska Yet.

MASS OF EVIDENCE IN HAND

Secret Service Men Have Been Gathering It for Special Grand Jury at Omaha.

OMAHA, Neb., Dec. 28.—Within thirty days after a successor to United States District Attorney Baxter has been appointed, it is highly probable that a special Federal grand jury will be summoned to investigate the evidence in hand of land fraud cases, which has been collected by twenty-five special ten secret service men.

The secret service men have been employed in ferreting out the most flagrant offenses in connection with the frauds, such as subornation of perjury, tampering with Government witnesses and conspiracy.

A persistent rumor points to the fact that Joseph V. Crow, formerly postmaster in Omaha, has been reported to the Department of Justice for his conduct as foreman of the last Federal grand jury.

Jury Foreman.

Frank Lambert, now under indictment on conspiracy charges, is said to have made an affidavit to the effect that he was approached with the proposition that if he would remain silent when in the grand jury room, the Government would have nothing against him. Lambert says a strong effort was made to keep him from implicating others by the testimony he submitted.